

RECEIVED
DATE 1/2/2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORENCE CARBERRY,

Plaintiff,

v.

MACY'S EAST, INC. and FEDERATED
RETAIL HOLDINGS, INC.,

Defendants.

Civil Action No. 07 CIV 8691 (LAK)

**MOTION ON CONSENT TO ADMIT
JACLYN KUGELL *PRO HAC VICE***

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern District of New York, I, LAURA M. RAISTY, a member in good standing of the bar of this Court, and counsel for defendants Macy's East, a division of Macy's Retail Holdings, Inc. (formerly known as "Macy's East, Inc."), and Macy's Retail Holdings, Inc. (formerly known as "Federated Retail Holdings, Inc.") in the above-captioned action, hereby moves for an Order allowing the admission *pro hac vice* of:

Jaclyn Kugell
Morgan, Brown & Joy, LLP
Boston, MA 02109
(617) 523-6666
(617) 367-3125 (fax)
jkugell@morganbrown.com

Jaclyn Kugell is a member in good standing of the Bar of the Commonwealth of Massachusetts. There are no pending disciplinary proceedings against Jaclyn Kugell in any State or Federal Court.

FILED
U.S. DISTRICT COURT
S.D.N.Y.
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORENCE CARBERRY,

Plaintiff,

v.

MACY'S EAST, INC. and FEDERATED
RETAIL HOLDINGS, INC.,

Defendants.

Civil Action No. 07 CIV 8691 (LAK)

**AFFIDAVIT OF LAURA M. RAISTY IN
SUPPORT OF MOTION ON CONSENT
TO ADMIT JACLYN KUGELL *PRO HAC*
*VICE***

COMMONWEALTH OF MASSACHUSETTS)

)

ss:

COUNTY OF SUFFOLK)

I, LAURA M. RAISTY, being duly sworn, hereby deposes and says as follows:

1. I am an associate at Morgan, Brown, & Joy, LLP, counsel for defendants Macy's East, a division of Macy's Retail Holdings, Inc. (formerly known as "Macy's East, Inc."), and Macy's Retail Holdings, Inc. (formerly known as "Federated Retail Holdings, Inc."), collectively referred to as "Defendants" herein, in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit Jaclyn Kugell as counsel *pro hac vice* to represent Defendants in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in New York on March 22, 1999. I am also a member in good standing of the bar of the Commonwealth of Massachusetts, and was admitted to practice law in Massachusetts on December 17, 1998. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Jaclyn Kugell since 2004.

4. Ms. Kugell is a partner with Morgan, Brown, & Joy, LLP in Boston, Massachusetts. A copy of a Certificate of Good Standing issued to Ms. Kugell on December 26, 2007 by Commonwealth of Massachusetts is attached hereto as Exhibit A.

5. I have found Ms. Kugell to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move for the admission of Jaclyn Kugell, *pro hac vice*.

7. Counsel for Plaintiff, Elizabeth A. Mason, Esq., has consented to this application.

8. I respectfully submit a proposed order granting the admission of Jaclyn Kugell, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion on consent to admit Jaclyn Kugell, *pro hac vice*, to represent Defendants in the above-captioned matter, be granted.

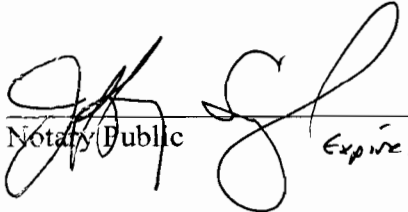
Dated: December 28, 2007
Boston, MA

Respectfully submitted,



Laura M. Raisty (LR 7965)

Sworn to before me this
28 day of December 2007



Notary Public Expires 2/17/10

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

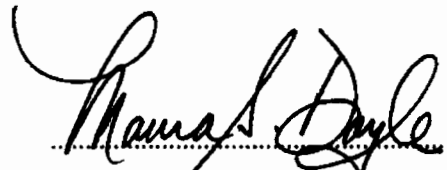
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the fifteenth day of December A.D. 1992, said Court being the highest Court of Record in said Commonwealth:

Jaclyn Kugell

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this twenty-sixth day of December in the year of our Lord two thousand and seven.




MAURA S. DOYLE, Clerk

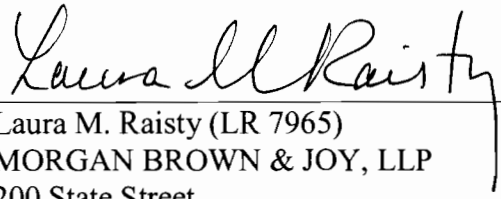
* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

PROOF OF SERVICE

I hereby certify that on December 28, 2007, the foregoing document was served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Electronic Filing Procedures upon the following parties and participants:

Elizabeth A. Mason, Esq.
Law Offices of Elizabeth A. Mason, L.L.P.
45 Rockefeller Plaza
New York City, NY 10111

Counsel for Plaintiff



Laura M. Raisty (LR 7965)
MORGAN BROWN & JOY, LLP
200 State Street
Boston, MA 02109
(617) 523-6666

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORENCE CARBERRY,

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v.

MACY'S EAST, INC. and FEDERATED
RETAIL HOLDINGS, INC.,

Defendants.

Civil Action No. 07 CIV 8691 (LAK)

**ORDER FOR ADMISSION *PRO HAC*
VICE OF JACLYN KUGELL ON
WRITTEN MOTION ON CONSENT**

Upon the motion of Laura M. Raisty of Morgan, Brown, & Joy, LLP, attorney for defendants Macy's East, a division of Macy's Retail Holdings, Inc. (formerly known as "Macy's East, Inc."), and Macy's Retail Holdings, Inc. (formerly known as "Federated Retail Holdings, Inc."), and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Jaclyn Kugell
Morgan, Brown & Joy, LLP
Boston, MA 02109
(617) 523-6666
(617) 367-3125 (fax)
jkugell@morganbrown.com

is admitted to practice *pro hac vice* as counsel for defendants Macy's East, a division of Macy's Retail Holdings, Inc. (formerly known as "Macy's East, Inc.") and Macy's Retail Holdings, Inc. (formerly known as "Federated Retail Holdings, Inc.") in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Dated: _____
New York, NY


United States District Judge

PROOF OF SERVICE

I hereby certify that on December 28, 2007, the foregoing document was served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Electronic Filing Procedures upon the following parties and participants:

Elizabeth A. Mason, Esq.
Law Offices of Elizabeth A. Mason, L.L.P.
45 Rockefeller Plaza
New York City, NY 10111

Counsel for Plaintiff



Laura M. Raisty (LR 7965)
MORGAN BROWN & JOY, LLP
200 State Street
Boston, MA 02109
(617) 523-6666